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THE ANDHRA PRADESH GAZETTE

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PART II - MISCELLANEOUS NOTIFICATIOSN OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

ABSTRACT

AMENDMENT TO RULES ON THE APPELLATE SIDE - INCORPORATION OF A SEPARATE CHAPTER I.E., CHAPTER III-A, AFTER CHAPTER III OF RULES ON THE APPELLATE SIDE **- NOTIFIED.**

ROC.No. 16/SO/2018 **DATED: 12.06.2018**

NOTIFICATION No.16/SO/2018

Under the provisions of Section 122 of Civil Procedure Code, 1908 and with the previous approval of the State Government, the High Court has made the following amendment to Rules on the Appellate Side.

AMENDMENT

Incorporation of a separate Chapter i.e., Chapter III-A, after Chapter III of the Rules on Appellate Side:

Chapter III-A

Norms for Presentation and Conduct of proceedings in person by parties

33 B (1) Whenever a party wants to appear and argue the case in person, he/she shall first file an application along with the proceedings, seeking permission to appear in person. The application shall indicate reasons as to why he/she cannot engage an Advocate and wants to appear and argue in person, and if he is willing to accept an Advocate, who can be appointed for him by the Court.

(2) Such application as filed along with the proceedings shall be placed before a Committee of two Officers of the Registry, who are working on deputation from the State Judicial Service, to be nominated by the Honourable the Chief Justice. The Committee shall scrutinize the matter/proceedings filed by Party-in-person so as to ensure that the Party-in-person has complied with the requirements of the High Court Appellate Side Rules, and that the Party-in-person has not made any objectionable averments/allegations and has not used unparliamentary language in the pleadings. The Committee shall interact with the Party-in-person and give opinion by way of Office Report whether Party-in-person is competent to assist the Court for disposal of the matter.

(3) In case a Party, who wishes to defend the matter/proceedings in person as respondent/opponent, the Court may direct such party to appear before the above committee and the above Committee shall ensure and certify that such person is 'Competent' to assist the Court in person.

(4) (a) If the certificate is not issued in both the cases mentioned in sub Rule (2) and (3) above and the Party-in-person is lawfully entitled to be referred to the High Court Legal Services Committee in accordance with law, the same will be referred to the Committee for offering legal services to the concerned litigant.

(b) If the concerned litigant is not entitled under law to get assistance of Legal Services Committee, he will be asked to appoint a lawyer to represent his case.

(c) In the event, it is certified that Party-in-person is 'competent' to assist the Court in person, the Party-in-person shall give an undertaking that he shall maintain decorum of the Court and shall not use or express objectionable and unparliamentary language or behaviour during the course of hearing in the Court or in the Court premises or in the further pleadings.

(5) If the Party-in-person fails to abide by his Undertaking as above, Contempt Proceedings may be initiated against him and/or appropriate costs shall be imposed on him and/or the concerned party will not be allowed to appear in any case as Party-in-person for such period as the Court may think fit.

(6) These Rules will not apply in the cases of applications for temporary bail, parole, furlough and *habeas corpus.*

(7) Notwithstanding anything contained in these Rules, the concerned Court before which the matter lies, may, in its discretion, permit a litigant/ s to appear in person and conduct the proceedings:

Provided, that the Court may, in its discretion, require the concerned litigant/s, first to appear before the Scrutiny Committee under sub Rule (2) or (3), as the case may be.

(8) Notwithstanding anything contained in the Writ Proceedings Rules, 1977, the Contempt of Court Rules, 1980, Public Interest Litigation Rules, 2015 and the Rules of the Madras High Court, Original Side, 1956, adopted by this Court, the provisions of Chapter III-A shall apply to all the writ, original and appellate proceedings in the High Court.

CH. MANAVENDRANATH ROY,
Registrar General.

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